

Margit

9/22/95

ED/Chairman Reports: September 28, 1995

NOTE: Rick Frank has informed me he will be late to the meeting.

~~1.~~ Call to Order. Roll Call. NOTE: Pat: we have a quorum problem. If there is no quorum; note that the Commission will not be able to take any actions, but the Commission can

~~2.~~ Public Comments:

Ask if there is any member of the public that wants to address the Commission on any item not on the agenda.

3. Minutes of the August 24, 1995 Meeting.

NOTE: If there is no quorum, put this item over to the next meeting.

Need MOTION; and SECOND. Voice Vote.

~~4.~~ Chairman's Report.

~~a.~~ Next Meeting: the next meeting is scheduled for October 26, 1995 here in the Jean Harvie Community Center. The Commission will be considering the local government plans being discussed tonight.

~~b.~~ Cal-Fed Public Meeting: The first CA-Fed Public Meeting was held on the 26th at the Stockton Inn. This is the first of five meetings that will be held throughout the State. I attended, as did Margit....

~~c.~~ Meeting with Secretary Wheeler: Margit and I met with Secretary for Resources Doug Wheeler on September 13 to discuss the future of the Commission in the view of the Resources Agency. Secretary Wheeler supported the Commission's program to hold meetings in the community to receive input.

~~d.~~ Upcoming important dates:
October 21
Duck Season opens on ~~October 7, and lasts for 93~~
straight days.

48th Rio Vista Bass Derby will be October 13 to 15 and includes both an adult and a kids fishing derby.

e. Editorial and Cartoon: The press commentary on the Commission has begun. While the cartoon doesn't directly comment on the Commission and its activities, I am more concerned about the editorial from September 12, 1995 in the Brentwood News. The editorial says the Commission should be abolished because the plan "contained nothing more than common sense recommendations". My view is that the Commission is a refreshing change in the direction of government BECAUSE the plan includes common sense recommendations. I feel the Commission was created to create consensus and to be inclusive, not to recommend infeasible, unimplementable, expensive programs, as others have in the past. I want to write a response, but would like some input from you (the Commission) first.

5. Report from Levees Subcommittee.

6. Report from Budget, Finance and Administration Subcommittee:

The Subcommittee was unable to meet due to scheduling conflicts. I met with staff to review the matters that would otherwise have been discussed. I can report that the Commission received about \$3,500 in fine monies last fiscal year, and the Attorney General will be sending another letter to the County courts asking for assistance. The Commission had about \$50,000 remaining in its budget; we are waiting a response from the Department of Finance about crediting those funds to our original \$250,000 loan from the Environmental License Plate Fund. Thank you to Commissioners that suggested possible studies if there are funds available; that matter will be revisited about the first of the year, hopefully by then the lawsuits will have been resolved.

7. Attorney General's Report:

Wait for Rick to arrive.

8. Executive Director's Report:

PAT: turn over to Margit.

Margit:

- a. In the Mailing Packet: A copy of the adopted San Luis Drain resolution, adopted on July 27, 1995.
- b. SF Bay Decisionmakers Conference: Ellen Johnck, who recently spoke to the Commission regarding the Bay Planning Coalition has forwarded a flyer on the upcoming conference on October 12, which includes a large section on levees and includes a number of speakers from the delta or involved with Delta issues

including: Bob Potter, Dan Nomellini, Chris Neudeck, Sally Shanks, and Bill Croyle. Luncheon Keynote speaker is scheduled to be Congressman Richard Pombo.

- c. California's Riparian-River Ecosystems Conference: Sponsored by U.C. Davis will be held on November 14-16.
- d. Regarding Hunting and Fishing this year: U.S. Fish and Wildlife reports that the fall waterfowl flight may exceed 100 million ducks, the highest number since 1980. This is resulting in a longer hunting season and a larger "bag" count. U.S. Fish and Wildlife also reported in mid-September, that the migrating chinook salmon count was 22,000 at the Red Bluff Diversion Dam; the number was only 8,000 at this time last year. Close to 300,000 salmon were caught this summer by spot fishermen, the highest number on record.
- e. The migratory sandhill cranes are back in the Delta, and the Department of Fish and Game has announced dates for tours of the ecological preserves near Galt. Call me for more info.
- f. DFG is sponsoring ten pheasant hunts on lands in the Delta owned by DWR between November 11 and December 9. Applications are being taken by mail. Call me for more information.

d. Other:

Implementation Report has been reprinted.

New computer for the GIS has been delivered and installed; we are now hooked up to the Internet and we are currently working on a home page.

9. Pending Projects Memo:

MARGIT: Mr. Chairman, I would like to mention that the new Delta Wetlands DEIR has been released; this project is described under Multi-County, as it covers two islands in San Joaquin County and two islands in Contra Costa County. This is a private project to use two islands for reservoirs and two islands for habitat mitigation, which will result in a loss of over 16,000 acres of agriculture in the Primary Zone. The DEIR is available in the Commission's offices and is quite large.

An additional project document has been received, that is the environmental document for an interim, five year project called the "Grasslands Bypass Channel" which will take the existing volumes of agriculture drainage water at the existing quality levels and send those waters through 28 miles of the San Luis Drain and then into 6 miles of Mud

Slough and then into the San Joaquin River. The purpose is to keep the drainage water out of natural waterways which are used to provide water to about 50,000 acres of State, federal, and private wetlands.

PAT: Any questions of Staff? (No action required)

10. Pending Legislation Memo:

Any questions of Staff? (No action required)

11. Briefing on Contra Costa County's Emergency Warning System.

I want to welcome Kathleen Imhoff who is the coordinator for the Contra Costa County Emergency Warning System.

12. Consideration of Letters/ Resolution Regarding Delta Levees

NOTE: If there is no quorum; put this matter over to the next meeting.

Done Winkler's comments

PAT: This matter is a follow-up of the Levee Subcommittee Meeting of last month. At that time, the Levee Subcommittee discussed sending three letters and adopting a resolution, all to support levee planning and maintenance programs. The first letter supports full restitution of levee repair claims from the floods of 1982, 1983 and 1986; a resolution in support of a program to fund long-term levee maintenance; and letters in support of the Corps of Engineers' planning programs and study of imported dredged material for levee maintenance.

Ask for questions from the Commission.

Ask for public comments.

Bring back to the full Commission for discussion and action. Needs MOTION, and SECOND. Voice Vote.

13. Staff Briefing and Public Hearing on Local Government Proposals to Bring General Plans into Conformance with the Land Use and Resource Management Plan for the Primary Zone of the Delta.

PAT: Turn over to Margit.

Margit: Thank you Mr. Chairman. I am very pleased to be able to brief the Commission on the local government submittals. As you know, the Delta Protection Act required the Commission adopt a land use and resource management plan for the entire Delta, and that the local governments amend their General Plans to be in conformance with the Commission's regional plan.

I would like to make a brief presentation. Then invite the local government representatives that are here to make a brief presentation and answer Commissioner questions, then open the public hearing and allow the Commission to receive any public comments on the local government proposals. No action will be taken tonight. However, if the Commission has comments, those comments and the public comments can be passed on to the affected local governments.

First, there are three cities and five Counties, which total eight local governments with lands in the Primary Zone.

Two jurisdictions submitted what I call "incomplete" submittals. Those are: (1) the City of Rio Vista and (2) Sacramento County. Rio Vista has not submitted any additional material. Sacramento County has submitted its analysis comparing the County General Plan and the Commission's plan. That was received on September 19, 1995, and it will be mailed to you for consideration at the next meeting.

Two jurisdictions submitted complete packets which appear to meet the requirements of the Act. The (3) City of Pittsburg's--because the Brown's Island is in public ownership and appropriately designated in the General Plan. Also, the submittal of (4) Yolo County, which intends to adopt the Commission's plan as part of the County's General Plan.

That leaves the submittals of four jurisdictions with some outstanding issues. Let me review those briefly:

(5) City of Stockton: The existing wastewater oxidation ponds on Roberts Island are in the Primary Zone. Under the Act, activities to maintain these ponds are not "development". The City is currently upgrading these ponds, indicating long-term commitment of their use. Staff has asked the City to address the issue of how the City will ensure that future uses of this site will be consistent with the Commission's adopted plan.

(6) Solano County: Solano County proposes to adopt a new section in its Resource Conservation and Open Space Element of the General Plan, specifically about the Delta, and include new policies and a very strong policy requiring activities in the Primary Zone to be consistent with the Commission's adopted plan.

The one issue of concern, is the County's current position that application of biosolids at agronomic rates is not subject to any regulation by the County. Staff has submitted a letter explaining its position on this matter.

(7) San Joaquin County: San Joaquin County has adopted a General Plan policy which prohibits placement of biosolids in the Primary Zone. The one issue for Commission consideration is if the proposed policy which would require that new general Plan amendments be consistent with the adopted plan is adequate, or if language to ensure that new projects would be consistent would be more appropriate.

(8) Contra Costa County: Contra Costa County's proposal raises two issues. First, the County indicates it will wait until the pending lawsuits are resolved before addressing the issue of biosolids, but does not indicate how Delta resources will be protected in the interim period. This could be accomplished through a moratorium. Second, the County proposes adoption of a new policy which requires the County "consider" the Commission's plan; the Commission may want to recommend stronger language which "requires" consistency with the adopted Plan.

I would like to introduce the local government representatives here tonight. They are here to make brief presentations or to answer your questions.

Contra Costa: Jim Cutler

Solano:

Harry Englebright

*School on
fine line of
refining*

San Joaquin: Peggy Keranen, Deputy Director of Planning
Division

Yolo:

Sacramento:

Mike Winter

Stockton:

Pittsburg:

Rio Vista:

PAT: Ask if there are questions of staff regarding the presentation.

PAT: Ask the local government planners if they would like to make a brief presentation.

PAT: I would like to open the public hearing on the local government proposals and the environmental analysis. In addition, I understand that written comments should be submitted by October 15, 1995.

NOTE: If there is no quorum, the public hearing will be continued until the next meeting.

I have cards from:

PAT: After public comments, bring the matter back to the Commission for discussion. For your use in directing the discussion, the main points for the Commission to address are:

(1) Do the approaches of the Counties appear to meet the requirements of the Act for the Commission to approve (as noted in the staff reports) ?

(2) Should the Counties (Contra Costa, Sacramento, San Joaquin) prepare more detailed amendments to the General Plans to ensure that ALL the policies of the DELTA PLAN are fully incorporated into the County General Plans?

(3) If the Counties can include only a few or no amendments, should they adopt an "umbrella" policy that requires projects and general plan amendments to be consistent with the Plan? should that "umbrella" policy be uniform?

At the end of the Commission discussion; summarize directions to staff.

Note that the public hearing will remain open until the next meeting.

14. Commissioner Comments.

Ask if there are any Commissioner comments or announcements.

15. Adjourn.